

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12523 of 2019

Arising Out of PS. Case No.-586 Year-2018 Thana- BODHGAYA District- Gaya

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Raushan Kumar, Son of Rajeshwar Pouddar, R/o Village- Atalkha, P.S-
Basnahi, District- Saharsa at present residing at Village- Kalhaura, P.S-
Bodhgaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudha Chandra

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
IPC and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

From the room of the petitioner, 2 bottles, each containing
375 Ml of Indian made foreign liquor were recovered.

It is submitted by learned counsel for the petitioner that the
petitioner was not present in the room in question when the
recovery was made and the petitioner claims to be the tenant in
the room from which the recovery has been made.

Learned APP submits that the recovery has been made



from the room of the petitioner.

Considering the fact that recovery has been made from the room of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

However, let the learned Court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks, in connection with Bodh Gaya P.S. Case No. 586 of 2018, pending in the Court of learned Special Judge, Excise Act, Gaya.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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